

February 3, 2021

SUBMITTED VIA FOIA ONLINE

Regional Freedom of Information Officer
U.S. EPA, Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Re: Freedom of Information Act Request Concerning Massachusetts Water Resources Authority Enforcement Response Plan

Dear Sir or Madam:

Conservation Law Foundation (CLF) hereby requests, pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552 *et seq.*, the following records described below. The requested records relate to the Massachusetts Water Resources Authority ("MWRA") in relation to National Pollutant Discharge Elimination System Permit No. MA0103284 authorizing certain discharges from MWRA Publicly Owned Treatment Works ("POTW") Deer Island Treatment Plant, Deer Island, Boston, MA 02152.

CLF requests the following:

- MWRA's "enforcement response plan" associated with this permit.
- Approval by U.S. Environmental Protection Agency (EPA) of the MWRA's "enforcement response plan" associated with this permit.
- Any and all correspondence from January 2015 to the present between EPA staff and MWRA staff regarding pollution prevention and enforcement actions undertaken (or not) by MWRA under Permit No. MA0103284.
- Any and all correspondence from January 2015 to the present within, between, and/or among EPA staff regarding pollution prevention and enforcement actions undertaken (or not) by MWRA under Permit No. MA0103284.

CLF respectfully requests that any fees incurred in conjunction with this request be waived pursuant to 40 C.F.R. § 2.107(l). CLF is a non-profit organization that works to protect New England's environment for the benefit of all people. This request is not made in furtherance of any commercial interest. Rather, disclosure of the requested information is likely to contribute significantly to public understanding of the operations and activities of the government, including the activities of MWRA. CLF seeks information regarding MWRA's actions under its NPDES permit in order to inform CLF members and the public about the current state of water



resource protection. The requested information is not publicly available and, to the extent that it sheds light on these matters, disclosure is in the public interest and of critical importance to the people who live, work, and recreate near affected water resources and/or rely upon MWRA's permit compliance to reduce or eliminate exposure to dangerous pollutants. In the event that our request for a fee waiver is denied, we request that the total cost be minimized by providing the information in electronic format. Also, if fees are assessed, please provide in advance a written, itemized, good faith estimate of such fees. We are willing to make an appointment to review responsive documents in person if that would be most efficient.

As you are aware, FOIA requires you to provide a response within twenty business days. Thank you in advance for your assistance with this request. Should you have any questions, please contact Kenta Tsuda by phone at (617) 850-1712 or by email at ktsuda@clf.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kenta Tsuda", is written over a light blue horizontal line.

Kenta Tsuda
Staff Attorney
Conservation Law Foundation
62 Summer Street
Boston, MA 02110
(617) 850-1712